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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,915	11/27/2001	Marianne Hickey	1509-247	7400

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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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VU, THONG H

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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05/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/994,915

Applicant(s)

HICKEY ET AL.

Examiner

Thong H. Vu

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 16-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

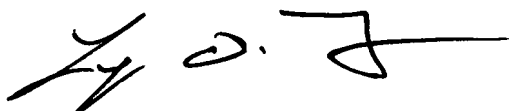
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|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. Claims 1-10,16-17 are pending (Restriction requirement 3/02/05, claims 11-15 canceled).
2. In view of the APPEAL BRIEF filed on 3/22/07, PROSECUTION IS HEREBY REOPENED. A New ground of Rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:



***Claim Rejections - 35 USC § 112***

3. Claims 1-10,16-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

i.e.: "Interface handler" is not defined in specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by.

4. As per claim 1, Polonsky discloses A method of enhancing communication between a user using a first device (i.e.: wireless device) and a content server (i.e.: information source) with which the user is interacting through an interfacing handler (i.e.: multimodal /voiceXML browser) [Polonsky, information source 102, VoiceXML, PDA, col 4 line 46-col 5 line 6], wherein:

the communication is managed as a session having one or more participants, the user, via the first device, being an initial participant to the session [Polonsky, session manager 108, Fig 1];

the user, using the first device instructs an output device to join the session, session-joining information being pass from the first device to the output device [Polonsky, session-join information or conference/teleconference, Polonsky, col 1 lines 20-35] ;

the output device uses the session-joining information to join the session as a participant [Polonsky, the cookie handler, col 8 lines 31-43]; and

the interfacing handler sends content and/or content references from the content server to the participant in the session, the output device outputting for the user at least some of content [Polonsky, references to information content data, col 15 lines 59-65].

5. As per claim 2, Polonsky discloses the devices register their communication capabilities with the session and the interfacing handler sends content and/or content references from the content server to the devices taking account of their register capabilities [Polonsky, ID authenticate, col 10 lines 40-44].

6. As per claim 3, Polonsky discloses the handler sends content from the content server to the output device according to authorization information specified by the user [Polonsky, ID authenticate, col 10 lines 40-44].

7. As per claim 4, Polonsky discloses the content server provides content in multiple media types and the output device is capable of handling one or more media types not handled by the first device [Polonsky, content type, col 7 lines 15-25; compatible, col 10 lines 35-39].

8. As per claim 5, Polonsky discloses the interfacing handler is a browser arranged to interpret pages with markup tags provided by the content Server [Polonsky, meta-tag markup, col 7 lines 55-65].

9. As per claim 6, Polonsky discloses the first device is a voice communication device and the interfacing handler is a multimodal browser capable of handling voice markup pages provide by the content server [Polonsky, VoiceXML, col 10 lines 40-44].

10. As per claim 7, Polonsky discloses the first device is a cellular phone [Polonsky, ID wireless phone, col 4 line 61].

11. As per claim 8, Polonsky discloses the first device passes on the session-joining information using short-range communication link [Polonsky, ID wireless phone, col 4 line 61].

12. As per claim 9, Polonsky discloses the output device is named upon session-joining with a name that is known to both user and the interfacing handler [Polonsky, ID authenticate, col 10 lines 40-44].

13. As per claim 10, Polonsky discloses the user can communicate with the output device via the first device and the interfacing handle [Polonsky, ID wireless phone, col 4 line 61].

14. As per claim 17 Polonsky discloses A user communication device comprising :  
a processor for (a) setting up a communications session with an interfacing handler  
through which the user device can receive content from a content server [Polonsky, the  
web content server, col 8 line 26]and  
(b) assembling session joining data for enabling an output device to join the  
communication session by that device passing the session joining data to the interfacing  
handler [Polonsky, session manager 108, Fig 1; connectivity manager 132, Fig 2]; and  
a transmitter connected to be responsive to the processor for sending the  
session joining information to the output device independently of the interfacing handler  
[Polonsky, application protocol independent, col 27 line 55].

15. As per claim 16, Polonsky discloses A voice browser service system for providing  
voice-form content to a user device, the service system comprising:

a session manager operative to set up a communication session with the user  
device as an initial member [Polonsky, session manager, Fig1] and to pass the user  
device a session identifier for the session [Polonsky, session ID, col 13 line 42];

means for retrieving content from a content server and delivering at least some of  
that content as voice signals to the user device [Polonsky, the web content server, col 8  
line 26];

receiving means for receiving, from a output device, a joining request including  
said session identifier and capability information concerning what types of content the

Art Unit: 2616

output device can handle [Polonsky, session ID, col 13 line 42; content type, col 7 lines 15-25], the receiving means being operative to pass the request to the session manager, and the session manager being responsive to the request to join the said output device to the communication session and register its capability information [Polonsky, ID wireless phone, col 4 line 61];

means for sending to said output device, whilst joined to the communication session, elements of the said content retrieved from the content server that are of a type which, according to the device's registered capability information, the output device can handle [Polonsky, compatible, col 10 lines 35-39].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong H. Vu whose telephone number is 571-272-3904. The examiner can normally be reached on 6:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Lynn Feild* can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**THONG VU**  
**Primary Examiner**



**THONG VU**  
**PRIMARY PATENT EXAMINER**